IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 264 OF 2007
IN
CRIMINAL APPEAL NO. 21 OF 2005

MR. GOKULDAS NAIK PRESENTLY LODGED
IN JAIL THROUGH MRS. SHALEN NAIK ... Applicant
Versus
MR. RAVIKANT BORKAR ... Respondent

Ms. Asha Dessai,Advocate for the applicant
Respondent/complainant present-in-person.

Coram:- D. B. BHOSALE, J.

Date:- 7th December, 2007

PC:

Heard learned counsel for the applicant and the respondent -complainant in-person.

The complainant's Appeal bearing no.21 of 2005 was disposed of by this court with direction to the accused to pay to the complainant compensation of Rs.45,000/- under section 138 of the Negotiable Instruments Act within a period of three months from the date of the judgment, that is 27.7.2007. Upon failure to pay the said compensation, this Court had also directed the accused to undergo S.I. for four months. This Court is informed that the accused could not pay the amount of compensation within three months as per the direction of this Court. However, he paid that amount to the complainant on 5.12.2007. The complainant is present in the court and he confirms that he received the entire amount of compensation. Since the accused did not pay the amount of compensation within the stipulated time, it appears that the police have arrested him on 5.12.2007. Considering that the accused has complied with the order, though belatedly, and considering that the complainant has

no objection for condoning the delay, I am inclined to allow this application in terms of prayer clause (a) and it is made absolute as such. The application is disposed of.

An authenticated copy of this order may be made available to the accused.

D. B. BHOSALE, J.

rrt